

United States District Court
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ANDRE IBRAHIM,

Plaintiff,

v.

ROLL-OFF, USA,

Defendant.

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Civil Action No. 4:21-cv-547-ALM-KPJ

MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On October 31, 2022, the Magistrate Judge entered proposed findings of fact and recommendations (the “Report”) (Dkt. #22) that Defendant’s Motion to Dismiss (the “Motion to Dismiss”) (Dkt. #13) be granted as to the request to transfer the case to the Eastern District of Oklahoma and denied as to dismissal of Plaintiff Andre Ibrahim’s claims; and Plaintiff’s Motion for Change of Venue (the “Motion to Transfer”) (Dkt. #16) be granted and the case be transferred to the Eastern District of Oklahoma. *See* Dkt. #22.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s Report as the findings and conclusions of the Court.

Accordingly, it is hereby **ORDERED** that:

1. Defendant's Motion to Dismiss (Dkt. #13) is **GRANTED IN PART** and **DENIED IN PART** as follows: Defendant's Motion to Dismiss is **GRANTED** as to the request to transfer the case to the Eastern District of Oklahoma and **DENIED** as to dismissal of Plaintiff's claims; and
2. Plaintiff's Motion to Transfer (Dkt. #16) is **GRANTED** and the case is transferred to the Eastern District of Oklahoma.

IT IS SO ORDERED.

SIGNED this 6th day of December, 2022.

A handwritten signature in black ink, reading "Amos Mazzant", is written over a horizontal line.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE